

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

CT102 LLC d/b/a METRO MOTORS and  
H. JEFFREY BAKER,  
Plaintiffs,

v.

AUTOMOTIVE FINANCE CORPORATION  
d/b/a AFC; NEXTGEAR CAPITAL, INC.;  
MANHEIM, INC.; and ADESA, INC.,  
Defendants.

C.A. No. 1:20-CV-00356-MSM-PAS

**MOTION OF DEFENDANT ADESA, INC. TO  
DISMISS SECOND AMENDED COMPLAINT**

Defendant ADESA, Inc. (“ADESA”), by counsel, and pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), hereby moves the Court to dismiss all claims asserted in the *Second Amended Complaint* filed by plaintiffs CT102 LLC d/b/a Metro Motors and H. Jeffrey Baker against AFC.

In support of this Motion, and pursuant to D. R.I LR 7, ADESA relies upon its Memorandum of Law in Support of Motion to Dismiss Plaintiff’s Second Amended Complaint as to Defendant ADESA, Inc. and all documents attached thereto (including those filed with ADESA’s Motion to Dismiss the First Amended Complaint [Doc. No. 23], the multiple Notices of Related Actions or Proceedings [Doc. Nos. 22, 27, 35, 26, 41, 45], all matters of record, and those matters of which the Court may take judicial notice.

Respectfully submitted,

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*Attorneys for Automotive Finance  
Corporation d/b/a AFC and ADESA, Inc.*

**Request for Oral Argument**

Pursuant to LR Cv 7(c) ADESA hereby requests oral argument on the instant Motion and estimates that thirty (30) minutes will be required for same.

**CERTIFICATE OF SERVICE**

I hereby certify that on November 8, 2021, I caused a true copy of the foregoing document to be filed using the CM/ECF System and it is available for viewing and downloading by all counsel of record as follows:

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/s/ Joseph V. Cavanagh, III